



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

March 1, 2018

Ref: 8ENF-L

BY EMAIL TRANSMISSION

Dean N. Alterman, Esq.
Alterman Law Group PC
Fox Tower
805 SW Broadway, Suite 470
Portland, OR 97205

Re: Anaconda Aluminum Co Columbia Falls Reduction Plant National Priorities List
EPA Site ID MTD057561763

Dear Mr. Alterman:

The Environmental Protection Agency (EPA) is in receipt of your February 21, 2018, letter, on behalf of your client, Calbag Resources, LLC (Calbag) following our exchange of letters starting on November 28, 2017. The EPA is charged with working with the State of Montana to oversee the investigation and cleanup of the above referenced site under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). As previously explained in my January 8, 2018, letter, the site is privately owned and the EPA is currently overseeing a remedial investigation and feasibility study being conducted by a potentially responsible party and the current owner, Columbia Falls Aluminum Company (CFAC).

It would be inappropriate under the National Contingency Plan for the EPA to grant your request to dispose of certain materials as proposed in your February 21, 2018 letter because 1) the site investigation is still in progress and therefore the nature and extent of contamination has not been fully characterized; and 2) granting your request would be tantamount to make a Superfund remedial decision without benefit of a complete site investigation, public involvement, or substantial and meaningful state involvement in the initiation, development and selection of remedial actions as required under the National Contingency Plan. As such, the EPA will not prematurely make a remedial decision without benefit of a complete public record based on the remedial investigation and feasibility study.



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Mr. Dean N. Alterman, Esq.
March 1, 2018
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Thank you for contacting the EPA.

Sincerely yours,

A handwritten signature in black ink, reading "Mark A.R. Chalfant". The signature is fluid and cursive, with the first name "Mark" being the most prominent.

Mark A.R. Chalfant
EPA Site Attorney
303-312-6177
chalfant.mark@epa.gov

cc: Mr. Michael A. Cirian, P.E., EPA
Mr. Thad Adkins, Esq., DEQ (TAdkins@mt.gov)
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Mr. Andrew D. Otis, Esq.